



STATE OF DELAWARE
DEPARTMENT OF FINANCE
DIVISION OF REVENUE
DELAWARE STATE BUILDING
820 N. FRENCH STREET
WILMINGTON, DELAWARE 19801

DIVISION OF REVENUE
TAX RULING 82-5

October 15, 1982

- Gross Receipts Tax Returns Relating to Certain Small Businesses

In an effort to further reduce the administrative burdens on small business, House Bill No. 760, Chap. 314, Vol. 63, Laws of Del., effective January 1, 1983, amends Chapters 23, 25, 27 and 29, Title 30, relating to occupational and business license taxes. The purpose of the law is to eliminate quarterly or monthly return filing requirements in the case of certain small businesses.

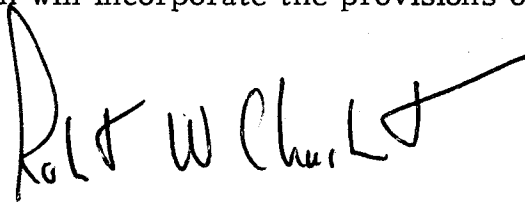
Effective for license tax years commencing January 1, 1983, persons subject to the occupational license tax requirements of Chapter 23, 30 Del. C., will continue to be required to file quarterly gross receipts tax returns only if their gross receipts for the quarter exceed \$6,000. In the case of any such licensee whose gross receipts do not exceed \$6,000 in any calendar quarter, only an annual return is required to be filed, on or before the 20th day of January following the close of the calendar year, reporting all gross receipts for the year and paying the tax in full at that time.

Similarly, effective January 1, 1983, persons subject to the contractors, manufacturers, wholesalers or retailers license tax requirements of Chapters 25, 27 or 29, 30 Del. C., will continue to be required to file monthly gross receipts tax returns only if their taxable gross receipts for the calendar month exceed \$2,000. In the case of any such licensee whose taxable gross receipts do not exceed \$2,000 in any calendar month of the quarter, only a quarterly return is required to be filed, on or before the 20th day of the month following the close of the calendar quarter, reporting all gross receipts for the quarter and paying the tax in full at that time. In the case of general retailers, since the law excludes from tax the first \$10,000 of gross receipts per month, this means that aggregate gross receipts for the month would have to exceed \$12,000 before a monthly return would be required to be filed. In the case of restaurant retailers, since the law provides a \$5,000 exclusion per month, aggregate gross receipts for the month would have to exceed \$7,000 before a monthly return would be required to be filed.

For tax year 1982, the taxpayer may elect the appropriate filing status simply by using the appropriate monthly, quarterly, or annual gross receipts tax return which will be provided to the taxpayer, similar to prior years,

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after their annual license renewal. The 1982 gross receipts tax packets will provide filing instructions which will incorporate the provisions of House Bill No. 760.

A handwritten signature in black ink, appearing to read "Robert W. Chastant", with a long horizontal stroke extending to the right.

Robert W. Chastant
Director of Revenue

RRS:rb

25/06/82/22/14